

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

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ROBERT M. EATON,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
TOWN OF TOWNSEND, JAMES M. KREIDLER, JR.	)	Civil Action No.: 1:18-CV-11824
& GORDON CLARK,	)	
	)	
Defendants.	)	Consolidated with
	)	
ROBERT M. EATON,	)	
	)	
Plaintiff,	)	Civil Action No.: 4:20-CV-40094
	)	
v.	)	
	)	
CINDY KING & CAROLYN SMART,	)	
	)	
Defendants.	)	

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**DEFENDANTS' ASSENTED-TO EMERGENCY MOTION FOR EXTENSION OF TIME  
TO FILE REDACTED SUMMARY JUDGMENT PLEADINGS ON PUBLIC DOCKET**

The Defendants in these consolidated actions, Town of Townsend, James M. Kreidler, Jr., Cindy King, Carolyn Smart, and Gordon Clark, with the assent of Plaintiff, Robert M. Eaton, hereby move to extend the time to file redacted copies of their summary judgment materials by fourteen (14) days to September 13, 2021 due to the unforeseen circumstances discussed below. In support of this Emergency Motion,<sup>1</sup> the Defendants state the following:

1. On August 16, 2021, the Defendants filed under seal four separate motions for summary judgment and supporting documents, including many exhibits.

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<sup>1</sup> This motion is being filed on an emergency basis because the current deadline for filing redacted copies of the Summary Judgment pleadings is August 30, 2021.

2. Pursuant to the Court's August 4, 2021 ruling on the Parties' Joint Motion to Seal the Summary Judgment pleadings, the Parties began to confer regarding the materials to be filed on the public docket, including necessary redactions of the pleadings and exhibits.

3. In the interest of reaching an agreement to reduce the number the pleadings to be redacted or withheld, the Parties filed a motion requesting an extension of time to file the redacted pleadings from August 19, 2021 to August 30, 2021. This Court allowed the Motion and the deadline was extended to August 30, 2021.

4. Before counsel could confer on this issue, counsel for the Plaintiff and counsel for the Town of Townsend, Kreidler, King, and Smart were informed of the untimely passing of Attorney Harrington, counsel for Gordon Clark, on August 25, 2021.

5. Although Attorney Maglione previously entered her appearance for Gordon Clark on this matter, Attorney Harrington has been primarily involved, particularly with respect to issues related to the Stipulated Protective Order and redaction of the Summary Judgment pleadings.

6. Attorney Maglione and counsel for the other Parties have agreed to work cooperatively to comply with the Court's Order regarding the filing of redacted Summary Judgment pleadings on the public docket, however, given the unfortunate and unexpected circumstances, extra time is necessary to confer as to what is needed to be redacted.

6. Plaintiff's counsel, who has already been served all the Summary Judgment materials in unredacted form, assents to this Motion.

WHEREFORE, the Defendants respectfully move this Honorable Court to extend the time for them to file on the public docket redacted copies of their summary judgment materials by fourteen (14) days to September 13, 2021.

Respectfully Submitted,

Defendants,  
TOWN OF TOWNSEND, JAMES M.  
KREIDLER, JR., CINDY KING &  
CAROLYN SMART,  
By their attorneys,

*/s/ Francesca L. Cone*

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Defendant,  
GORDON CLARK,  
By his attorney,

*/s/ Christine A. Maglione (FLC w/assent)*

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**ASSENTED-TO:**

Plaintiff,  
ROBERT M. EATON,  
By his attorneys,

*/s/ L. Richard LeClair (FLC w/assent)*

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**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on August 30, 2021.

/s/ Francesca L. Cone